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**From:** Andreoni, Anthony [AAndreoni@jensenhughes.com]  
**Sent:** 3/4/2019 10:02:25 PM  
**To:** Meisenbach, Caitlin [Meisenbach.Caitlin@epa.gov]  
**CC:** Andreoni, Anthony [AAndreoni@jensenhughes.com]  
**Subject:** RE: FOIA Request EPA-HQ-2018-008720, Follow-up...

Thanks Caitlin – to answer your question on PEMs testing data – yes – I would be interested in that data as well.

Question, has U.S. EPA looked at or examined roadside emissions data (Colorado has a big database of roadside NOx and other emissions data from in-use vehicles). If so, what information might U.S. EPA have?

--Anthony

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**From:** Meisenbach, Caitlin <Meisenbach.Caitlin@epa.gov>  
**Sent:** Monday, March 4, 2019 1:57 PM  
**To:** Andreoni, Anthony <AAndreoni@jensenhughes.com>  
**Subject:** RE: FOIA Request EPA-HQ-2018-008720, Follow-up...

Anthony,

I wanted to touch base about your FOIA request.

Following our discussion last week, I have reached out to our technical folks about the request for emails going back to 2012. It will be possible, but the timeframe depends on a few variables. I hope to have more information soon.

If I recall correctly, you were interested in two categories of test data: certification testings and PEMS testing. Is that correct?

Certification data can be found online in the following places:

- Applications for certification, which will contain the official cert test results: <https://iaspub.epa.gov/otagpub/>
- Certification data: <https://www.epa.gov/compliance-and-fuel-economy-data/annual-certification-data-vehicles-engines-and-equipment>
- Fuel economy data: <https://www.epa.gov/compliance-and-fuel-economy-data/data-cars-used-testing-fuel-economy>

If you can please confirm your interest in PEMS data, I will get back to you with a timeline shortly on these and the other topics in your request.

Thank you!

Caitlin Kelleher Meisenbach  
Attorney Advisor

VEEB, AED, OCE, OECA, EPA HQ  
(202) 565 0062

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**From:** Andreoni, Anthony <[AAndreoni@jensenhughes.com](mailto:AAndreoni@jensenhughes.com)>  
**Sent:** Thursday, November 01, 2018 10:15 PM  
**To:** Bermes, Peter <[Bermes.Peter@epa.gov](mailto:Bermes.Peter@epa.gov)>  
**Cc:** Meisenbach, Caitlin <[Meisenbach.Caitlin@epa.gov](mailto:Meisenbach.Caitlin@epa.gov)>; Andreoni, Anthony <[AAndreoni@jensenhughes.com](mailto:AAndreoni@jensenhughes.com)>  
**Subject:** RE: FOIA Request EPA-HQ-2018-008720, Follow-up...

Hi Peter, Caitlin:

I am just circling back from our call last Friday (10/26/2018) on FCA data request, AECDs and correspondence (emails, etc..) going back to March 2013 to September 2017, or 5 years of information, which may be saved on an old server regarding publicly available data. When we spoke, there was also a discussion of emission cert data and COC issued to FCA – provide links to the COCs.

Please let me know if you have a summary on data available and the next steps. Thanks again.

--Anthony

**Anthony Andreoni, PE, MBA** | Director, Forensic Operations & Sr. Mechanical Engineer  
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**From:** Bermes, Peter <[Bermes.Peter@epa.gov](mailto:Bermes.Peter@epa.gov)>  
**Sent:** Tuesday, October 9, 2018 1:10 PM  
**To:** Andreoni, Anthony <[AAndreoni@jensenhughes.com](mailto:AAndreoni@jensenhughes.com)>  
**Cc:** Meisenbach, Caitlin <[Meisenbach.Caitlin@epa.gov](mailto:Meisenbach.Caitlin@epa.gov)>  
**Subject:** RE: FOIA Request EPA-HQ-2018-008720

Hi Anthony,

Thanks for your response. I'll circle with staff here and get back to you soon with a time for a call.

Peter

Peter Bermes  
Attorney-Advisor, Office of General Counsel  
United States Environmental Protection Agency  
312-886-6631 | Room R1325

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**From:** Andreoni, Anthony [<mailto:AAndreoni@jensenhughes.com>]  
**Sent:** Tuesday, October 09, 2018 12:57 PM  
**To:** Bermes, Peter <[Bermes.Peter@epa.gov](mailto:Bermes.Peter@epa.gov)>

**Cc:** Meisenbach, Caitlin <[Meisenbach.Caitlin@epa.gov](mailto:Meisenbach.Caitlin@epa.gov)>; Andreoni, Anthony <[AAndreoni@jensenhughes.com](mailto:AAndreoni@jensenhughes.com)>

**Subject:** RE: FOIA Request EPA-HQ-2018-008720

Hi Peter:

Sorry for the delay in responding. I would be interested in talking about the expanded information and explore the costs.

Is there a date and time we can set-up to discuss?

Thanks.

--Anthony

**Anthony Andreoni, PE, MBA** | Director, Forensic Operations & Sr. Mechanical Engineer

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**From:** Bermes, Peter <[Bermes.Peter@epa.gov](mailto:Bermes.Peter@epa.gov)>

**Sent:** Wednesday, October 3, 2018 2:29 PM

**To:** Andreoni, Anthony <[AAndreoni@jensenhughes.com](mailto:AAndreoni@jensenhughes.com)>

**Cc:** Meisenbach, Caitlin <[Meisenbach.Caitlin@epa.gov](mailto:Meisenbach.Caitlin@epa.gov)>

**Subject:** RE: FOIA Request EPA-HQ-2018-008720

Hello Anthony,

I'm following up concerning Part 4 of your request. Would you like to limit the request to the correspondence records that EPA has produced, or would you like to expand the search to include additional correspondence? If you would like to pursue additional records, we will need to have a call to discuss scope and fees. Thank you,

Peter

Peter Bermes

Attorney-Advisor, Office of General Counsel

United States Environmental Protection Agency

312-886-6631 | Room R1325

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**From:** Bermes, Peter

**Sent:** Wednesday, September 12, 2018 2:34 PM

**To:** 'Andreoni, Anthony' <[AAndreoni@jensenhughes.com](mailto:AAndreoni@jensenhughes.com)>

**Cc:** Meisenbach, Caitlin <[Meisenbach.Caitlin@epa.gov](mailto:Meisenbach.Caitlin@epa.gov)>

**Subject:** RE: FOIA Request EPA-HQ-2018-008720

Hello Anthony,

You're welcome. You will need to submit a new request for records related to GM or any topic outside the scope of this request. I'll look for your thoughts on part 4 after you've had time to review. Thanks,

Peter

Peter Bermes  
Attorney-Advisor, Office of General Counsel  
United States Environmental Protection Agency  
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**From:** Andreoni, Anthony [<mailto:AAndreoni@jensenhughes.com>]  
**Sent:** Wednesday, September 12, 2018 10:52 AM  
**To:** Bermes, Peter <[Bermes.Peter@epa.gov](mailto:Bermes.Peter@epa.gov)>  
**Cc:** Meisenbach, Caitlin <[Meisenbach.Caitlin@epa.gov](mailto:Meisenbach.Caitlin@epa.gov)>; Andreoni, Anthony <[AAndreoni@jensenhughes.com](mailto:AAndreoni@jensenhughes.com)>  
**Subject:** RE: FOIA Request EPA-HQ-2018-008720

Thanks Peter for your response, I am sure the U.S. EPA is staying busy on this front. I will review the links you provided and see if I have any follow-up questions/requests.

On the same lines for FCA, the same attorney client has also retained Jensen Hughes for another litigation effort representing plaintiffs on specific make/model GM SUV diesel engines, although the U.S. EPA has not officially issued a NOV (that I have seen). Do I need to submit another FOIA request to get the ball rolling?

Appreciate your help.

--Anthony

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**From:** Bermes, Peter <[Bermes.Peter@epa.gov](mailto:Bermes.Peter@epa.gov)>  
**Sent:** Tuesday, September 11, 2018 12:50 PM  
**To:** Andreoni, Anthony <[AAndreoni@jensenhughes.com](mailto:AAndreoni@jensenhughes.com)>  
**Cc:** Meisenbach, Caitlin <[Meisenbach.Caitlin@epa.gov](mailto:Meisenbach.Caitlin@epa.gov)>  
**Subject:** FOIA Request EPA-HQ-2018-008720

Mr. Andreoni,

This message concerns your FOIA request EPA-HQ-2018-008720. The request seeks:

1. all emissions test data/results (certification and Portable Emissions Measurement Systems [PEMS]) related to 2014, 2015, 2016, and 2017 model year vehicles;

2. the approved test method(s) and standard operating procedures (SOPs) for PEMs testing;
3. a list of AECDs that are typically disclosed by various vehicle manufactures for certified diesel fueled emissions in the US and in Canada, including FCA, for model years 2014, 2015, 2016, and 2017;
4. all documents, emails, letters, internal memos, that document the investigation of AECDs and increased emissions;
5. a list of all laboratories hired to evaluate vehicle emissions on FCA vehicles not meeting certification standards;
6. a list of all vehicles US EPA tested/evaluated on complying and non-conforming AECDs and excessive emissions;
7. a list of program engine controller software versions documented by the US EPA on diesel powered engines with a list of multiple non-disclosed AECDs;
8. list of failed emission control equipment identified by FCA, changes in fuel economy ratings, and any technical service bulletins from FCA on program changes or repairs to fuel and emission control devices.

I want to direct you to two sources of responsive records. First, certification records responsive to part 1 of your request can be accessed through OTAQ's Document Index System at this link: <https://iaspub.epa.gov/otaqpub/>. Second, the Agency has released a significant amount of correspondence responsive to part 4 of your request. Below are links to released records.

- EPA-HQ-2017-002433 (communications between EPA and FCA from 3/1/13-4/12/17)
  - <https://www.foiaonline.gov/foiaonline/action/public/search/quickSearch?query=EPA-HQ-2017-002433>
  - For this link, please click on the "+" sign to access the record, not the tracking number. When you click on the plus sign you will see a link to the record. Then you may then click on that link to download the record.
- EPA-HQ-2017-004009 (communications between EPA, FCA, and CARB from 9/24/15-2/15/17)
  - <https://www.foiaonline.gov/foiaonline/action/public/submissionDetails?trackingNumber=EPA-HQ-2017-004009&type=request>
- EPA-HQ-2017-010293 (communications between EPA and FCA from 4/13/17 to 9/11/17)
  - <https://www.foiaonline.gov/foiaonline/action/public/submissionDetails?trackingNumber=EPA-HQ-2017-010293&type=request>
- EPA-HQ-2017-011241 (This collection includes communications between EPA and FCA/CARB from 1/1/13-8/30/17 not captured by other searches.)
  - <https://www.foiaonline.gov/foiaonline/action/public/submissionDetails?trackingNumber=EPA-HQ-2017-011241&type=request>

Please review these records, and to the extent that your request seeks correspondence beyond what has been released, please let me know and we can discuss a search for additional records. Please feel free to ask any questions by email or reach out to me directly at the number below. The Agency will continue to work on responding to the request as a whole, and we will be able to provide a timeline for completion when you provide clarification on Part 4. Thank you,

Peter

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